



5. In addition, the District Court of New Jersey has jurisdiction under 28 U.S.C. § 1331 over the subject matter, which arises from Federal Copyright law, including 17 U.S.C. §§ 501, et al.

**CAUSE OF ACTION:**

6. Defendants, without permission from Plaintiff, have violated Plaintiff's exclusive rights to copyrighted works created by Plaintiff by manufacturing and selling clothing bearing designs copyrighted by Plaintiff. (See Exhibit A).
7. Plaintiff sent "Cease and Desist" letters to Defendants on or around December 31, 2013, but Defendants have failed to comply with Plaintiff's demands. (Exhibit A & B).
8. Plaintiff has suffered damages as a result of Defendants' actions, including lost profits and attorney's fees.

**DEMAND:**

1. Plaintiff asks the court to immediately impound any infringing works in Defendants' possession as well as any equipment used to create infringing works under 17 U.S.C. § 503.
2. Plaintiff asks the court to issue an injunction under 17 U.S.C. § 502 against Defendants preventing it from producing or selling Infringing works.
3. Plaintiff also seeks monetary damages for actual damages, additional profits of Defendants, and statutory damages of \$150,000 under 17 U.S.C. § 504.
4. In addition, Plaintiff seeks attorney's fees and costs under 17 U.S.C. § 505.

By:



---

Gregory K. Byrd, Esq.

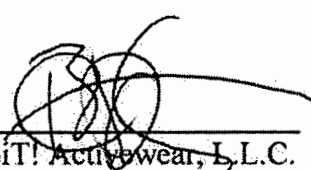
Attorney for Plaintiff

**Plaintiff's Verification**

1. I certify that I am an authorized officer of the corporation bringing this action.
2. I have read the verified complaint and the information contained in it is true and based upon my personal knowledge.
3. The matter in controversy is not the subject of any other court action or arbitration proceeding now pending or contemplated and no other parties should be joined in this action.
4. I certify that confidential personal identifiers have been redacted from documents no submitted to the court, and will be redacted from all documents submitted in the future.
5. The foregoing statements made be me are true and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Signature

9/30/14  
\_\_\_\_\_  
Date

Clarke Dundas   
on behalf of X-iT! Activewear, L.L.C.

430 Allentown Drive  
\_\_\_\_\_  
Address Allentown, PA 18109